



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 23, 1998

Mr. William M. Toles
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
Municipal Building
Dallas, Texas 75201

OR98-2825

Dear Mr. Toles:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 119880.

The City of Dallas received a request for certain information relating to a certain residential address. From the information responsive to the request, you seek to withhold, under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code, originating telephone numbers and addresses from records of 9-1-1 calls. You submit a representative sample of the 9-1-1 call reports.¹

Section 552.101 of the Government Code requires withholding information made confidential by statute. Section 772.318 of the Health and Safety Code makes caller telephone numbers and addresses furnished by computerized 9-1-1 service suppliers or business service users confidential. *See* Open Records Decision No. 649 (1996). To the extent that the 9-1-1 call information at issue here was furnished by a service supplier or

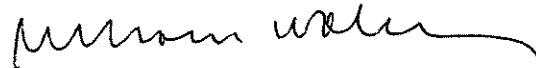
¹In reaching our conclusion, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision No. 499 (1988), 497 (1988) (where requested documents are numerous and repetitive, governmental body should submit representative sample; but if each record contains substantially different information, all must be submitted). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

business service user under Health and Safety Code chapter 772, subchapter D, of which section 772.318 is a part, we agree that originating telephone numbers and addresses are confidential and must be withheld.²

We note the 9-1-1 call reports at issue also contain Texas motor vehicle license plate numbers which must be withheld under section 552.130(2) of the Government Code. Apart from such license plate information, and the telephone number and address information, discussed above, the 9-1-1 call reports must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



William Walker
Assistant Attorney General
Open Records Division

WMW/ch

Ref: ID# 119880

Enclosures: Submitted documents

cc: Mr. Phillip Harrison
Ms. Alicia Harrison
3930 Walnut Hill Lane
Dallas, Texas 75229
(w/o enclosures)

²Open Records Decision No. 649 (1996) notes that of subchapters B, C, D, and E of chapter 772, "Local Administration of Emergency Communications," subchapters B, C, and D contain identical confidentiality provisions. See Health and Safety Code §§ 772.118, 772.218, and 772.318. Subchapter E, however -- "Emergency Communication Service: Counties with Population over 1.5 Million" -- contains no such confidentiality provision.